

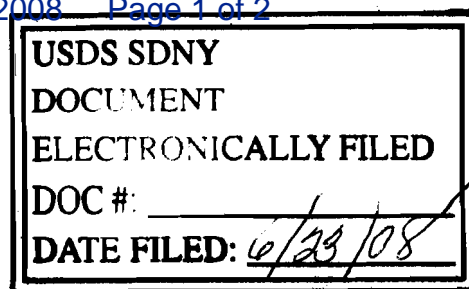


STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

Writer's Direct Telephone No.
(212) 416-8624

ANDREW M. CUOMO
Attorney General

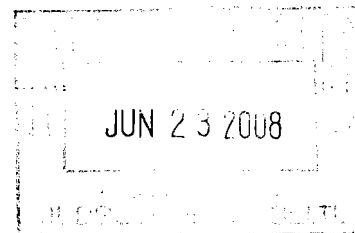
DIVISION OF CRIMINAL JUSTICE
Federal Habeas Corpus Section



June 20, 2008

BY HAND DELIVERY

Honorable John G. Koeltl
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1030
New York, New York 10007



Re: Dean Lopez v. Supt. William Brown, et al.
08-cv-3495 (JGK)

Your Honor:

I am an Assistant Attorney General in the office of Andrew M. Cuomo, Attorney General of the State of New York, attorney for respondent in the above-referenced matter. In an order dated April 25, 2008, filed on May 5, 2008, received by the District Attorney's office on May 7, 2008, and received by this office on May 28, 2008, this Court directed respondent to answer the petition for a writ of habeas corpus within sixty days "from the date of receipt." Using the date the District Attorney's office received the order, respondent's answer is due on July 7, 2008.

When we received this Court's order from the District Attorney's office, we immediately requested the relevant state records. While I received the transcripts yesterday, I have yet to receive the remainder of the state court records. I do not anticipate receiving those records with sufficient time to review them and prepare a complete response to the petition by the original due date.

As a result, I respectfully request an extension of time until August 21, 2008 to obtain the complete state court record and answer the petition. This is respondent's first request for an extension of time. I have contacted petitioner's attorney, Susan Epstein, Esq., and she consents to this extension request. I also ask for the Court to allow thirty days after receipt of the answer for petitioner's reply. Thank you for your consideration.

APPLICATION GRANTED
SO ORDERED

[Signature]
John G. Koeltl, U.S.D.J.

Respectfully submitted,

[Signature]
Ashlyn Dannelly
Assistant Attorney General
Deputy Chief
Habeas Corpus Section

cc (by U.S. Mail): Susan Epstein, Esq.
The Legal Aid Society
Criminal Appeals Bureau
199 Water Street
New York, New York 10038